

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons which follow.

Claims 1, 6, 8-10, 14, 19, and 21 are amended presently. Claims 2-5, 7, 11, 12, 15, and 16 are cancelled. Claims 23-33 are added hereby. Support for the amendments to the claims can be found, e.g., in Figs. 1-5 and in Paragraphs [0018]-[0021].

With the foregoing amendments, claims 1, 6, 8-10, 13, 14, and 17-33 are pending in this application.

Rejection under 35 USC § 112, second paragraph

Claims 1, 6, 8, 9, 19, and 20-22 are rejected under 35 USC §112, second paragraph, as being indefinite. Claims 1, 19, and 21 have been amended so as to no longer claim a “card comprising at least one detent receiver and at least one retainer receiver”. Accordingly, Applicant respectfully submits that claims 1, 19, 21, and those claims depending therefrom are now definite and in allowable form.

Claims 14, 17, and 18 are rejected under 35 USC §112, second paragraph, as being indefinite. Claim 14 has been amended to clearly set forth that it is a “blister card” and the features thereof that are being claimed. As such, Applicant submits that claim 14 and those claims depending therefrom are now clear, definite, and in allowable form.

Rejection under 35 USC § 102(b)

Claims 1 and 6, as best understood, are rejected under 35 USC §102(b) as being anticipated by Buss (US 6,349,831). Responsive thereto, Applicant has amended claim 1 and submits that claims 1 and 6 are now in condition for allowance.

Claim 1, as amended, recites in part:

a blister card ..., said card comprising at least one receiving aperture; ...

at least one detent extending from the case toward said void, a given detent being configured for engaging a given receiving aperture.

Applicant submits that the subject matter of amended claim 1 is neither taught, disclosed, nor suggested by Buss '831 or any of the other cited references, taken alone or in combination.

Buss '831 discloses a child-resistant package having a shell 10 and a tray 60 (Fig. 1), with the tray 60 further including a tether 62 with a blister card 64 mounted thereon (Column 3, lines 8-15, 45-56). The tether 62 has two longitudinal slots 72 and two tabs 74, which the Examiner deems to be at least one retainer receiver (72) and at least one detent receiver (74) (Page 5, Line 1, of the present Office Action). Additionally, the Examiner considers the two locking projections 34 to define at least one detent (34) (Page 5, middle thereof). However, there is no aperture in the blister card 64, so the blister card 64 itself is unable to engage with a given locking projection 34. Thus, Buss '831 fails to teach or suggest each and every element of amended claim 1.

Claim 6 depends from allowable claim 1 and further defines the system of claim 1. Thus, claim 6 should also be deemed allowable.

As such, Applicant submits that claim 1 and claim 6 depending therefrom are now in condition for allowance over Buss '831 or any of the other cited references, taken alone or in combination.

Claims 10 and 13 are rejected under 35 USC §102(b) as being anticipated by Buss (US 6,349,831). Responsive thereto, Applicant has amended claim 10 and submits that claims 10 and 13 are now in condition for allowance.

Claim 10, as amended, recites in part:

at least one retainer extending from the case and, further, being positioned within said void to engage said card in a second, substantially

extended, position.

Buss '831, taken alone or in combination with any other cited reference, fails to teach or suggest the subject matter of amended claim 10.

Buss '831 discloses a child-resistant for which the Examiner contends that the keeper 80 is a retainer in the manner claimed. However, the keeper 80 does not extend from the shell 10 (Column 4, lines 48-56). In particular, the keeper 80 is actually held parallel to the shell 10 via fasteners 58, 82. Accordingly, Buss '831 fails to teach or suggest each and every element of amended claim 10.

Thus, Applicant submits that claim 10 and claim 13, by its dependence from allowable claim 10, are now in condition for allowance over Buss '831, taken alone or in combination with any of the other cited references.

Claims 14, 17, and 18, as best understood, are rejected under 35 USC §102(b) as being anticipated by Buss (US 6,349,831). Responsive thereto, Applicant has amended claim 14 and submits that claims 14, 17, and 18 are now in condition for allowance.

Claim 14, as amended, recites in part:

A blister card ... comprising:

a first side having a plurality of pliable blisters ...; ...

a breakable sealant affixed to a second side ...; and

a receiving aperture extending through the first and second sides of said card, the receiving aperture being configured to engage a detent of said case when said card is in a first, substantially received position and being configured to engage a retainer attached to said case when said card is in a second substantially extended position; ...

Buss '831, taken alone or in combination with any other cited reference, fails to teach or suggest the subject matter of amended claim 14.

Buss '831 identifies the blister card thereof to be element 64 (Column 3, lines 47-48). As can be seen from, e.g., Fig. 1, the blister card 64 has no aperture that extends through both sides thereof. Thus, Buss '831 fails to teach or suggest, in its entirety, the subject matter of claim 14, as amended.

Accordingly, Applicant submits that claim 14, as amended, is allowable over Buss '831, taken alone or in combination with any of the other cited references. Claims 17 and 18 each depend from allowable claim 1 and, thus, should also be found allowable.

Allowable subject matter

The Examiner indicated that claims 19 and 21 would be allowable if rewritten or amended to overcome the rejection(s) under 35 USC §112, second paragraph, and that claims 8, 9, 20, and 22 would be allowable if rewritten to overcome the rejection(s) under 35 USC §112, second paragraph, and to include all of the limitations of the base claim and any intervening claims.

Claims 8, 9, 19, and 21 have been amended to overcome the rejection(s) under 35 USC §112, second paragraph. Thus, Applicant submits that claim 19, along with claims 8, 9, and 20 depending therefrom, and claim 21, as well as claim 22 depending thereon, are now in condition for allowance.

New claims

New claims 23-33 are added hereby. Support for such claims can be found, e.g., in Figs. 1-5 and in Paragraphs [0018]-[0021].

Claims 23-28 depend from one of allowable claims 1 or 10, and each sets forth additional distinguishing subject matter. As such, Applicant submits that new claims 23-28 are now in condition for allowance.

Claim 29 recites in part:

... a spring-biased retainer extending from the case and, further,
being positioned within the void to engage the card in a substantially
extended position.

Applicant submits that Buss '831 or any of the other cited references, taken alone or in combination, fails to teach or suggest the subject matter of claim 29.

Accordingly, Applicant submits that claim 29 and claims 30-33 depending therefrom are now in condition for allowance.

Conclusion

Applicant believes that the present application is in condition for allowance. Favorable consideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

If any fees are due in connection with the filing of this Amendment, please charge the fees to 132512. If a fee is required for an extension of time under CFR § 1.136 that is not accounted for above, such an extension is requested, and the appropriate fee should also be charged to our Deposit Account.

Respectfully submitted,

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